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PTO/SB/05 (03-01)

Applicable for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket No. 13965-043

First Inventor FITZGERALD, Robert

Title CORDLESS TELEPHONE HEADSET SYSTEM

Express Mail Label No. EL 758701536 US

(Only for new nonprovisional applications under 37 C.F.R. 1.53(b))

APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(Submit an original and a duplicate for fee processing)
2. ☒ Applicant claims small entity status.
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 21]
(preferred arrangement set forth below)
 - Descriptive title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R & D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 9]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☐ Copy from a prior application (37 CFR 1.63 (d))
(for a continuation/divisional with Box 18 completed)
 - i. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO:

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
 - a. ☐ Computer Readable Form (CRF)
 - b. Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
 - c. ☐ Statements verifying identity of above copies

ACCOMPANYING APPLICATIONS PARTS

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C.F.R. §3.73(b) Statement of Power of Attorney (when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement (IDS)/PTO-1449 ☒ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503) (Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☐ Nonpublication Request under 35 U.S.C. 122 (b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)
Prior application information: Examiner _____

of prior application No: _____ / _____
Group / Art Unit: _____

For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

17. CORRESPONDENCE ADDRESS

☒ Customer Number or Bar Code Label

(Insert Customer Number or Bar Code Label here)

or ☐ Correspondence address below

Name

28286

PATENT TRADEMARK OFFICE

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Chad C. Soliz

Registration No. (Attorney/Agent)

47,101

Signature

Date

January 4, 2002

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

Complete if Known

Application Number	Not yet assigned
Filing Date	Not yet assigned
First Named Inventor	FITZGERALD, Robert
Examiner Name	Not yet assigned
Group / Art Unit	Not yet assigned
Attorney Docket No.	13965-043

TOTAL AMOUNT OF PAYMENT (\$) 1011

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit Account Number: 03-1725

Deposit Account Name: Chrisman Bynum & Johnson

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION (continued)

3. ADDITIONAL FEES					
	Large Entity		Small Entity		
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet.	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive – unavoidable	
141	1,280	241	640	Petition to revive – unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17 (q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) _____					
*Reduced by Basic Filing Fee Paid					
SUBTOTAL (3)					(\$ 0)

FEE CALCULATION

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	370
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	
SUBTOTAL (1)					(\$ 370)

2. EXTRA CLAIM FEES

Total Claims	71	-20 **	=	51	X	9	=	459
Independent Claims	4	-3 **	=	1	X	42	=	42
Multiple Dependent	X				X	140	=	140

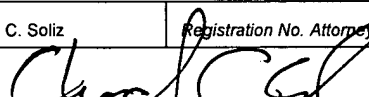
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 641)

**or number previously paid, if greater; For Reissues, see above

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	Chad C. Soliz	Registration No. Attorney/Agent	47,101	Telephone	303-546-1300
Signature		Date	January 4, 2002		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

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D424,054	May 2, 2000	Fitzgerald
D414,488	September 28, 1999	Fitzgerald
D411,538	June 29, 1999	Fitzgerald
D394,058	May 5, 1998	Fitzgerald
D364,617	November 28, 1995	Fitzgerald
D346,380	April 26, 1994	Fitzgerald
D327,888	July 14, 1992	Fitzgerald

OTHER DOCUMENTS

"Product Catalog", *RadioChack.com*, internet web site, December 13, 2001.


"Hello Direct", *Superior Telecommunications Solutions Catalog*, Fall 2001, pp. 14, 21, and 48.

"Installation and Operation Guide", *Bell® Equipment Sonecor, Model: BE-25FA, Hands Free Cordless Headset Telephone*, distribution date, March 1999.

One (1) page of Form PTO-1449 and copies of all the above-cited references are enclosed for the Examiner's convenience. This Information Disclosure Statement Under 37 C.F.R. §§ 1.56 and 1.97 is not to be construed that no other material information as defined in 37 C.F.R. § 1.56(a) exists, or that these citations constitute prior art under 35 U.S.C. § 102.

Respectfully submitted,

1/7/02
Date


Chad C. Soliz, Reg. No. 47,101
FAEGRE & BENSON
1900 Fifteenth Street
Boulder, Colorado 80302
(303) 546-1300

20010107 16:00:00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor:	Robert Fitzgerald)	
)	
Application No.:	Not Yet Accorded)	Art Unit:
)	Not Yet Accorded
Filing Date:	January 4, 2001)	
)	Examiner:
Title:	CORDLESS TELEPHONE)	Not Yet Accorded
	HEADSET SYSTEM)	
)	
Our File No:	13965-043)	

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. §1.10

To: Box PATENT APPLICATION
Assistant Commissioner of Patents
Washington, D.C. 20231

Dear Sir:

The applicants hereby submit their Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98 and respectfully request the Examiner to consider the information disclosed in the references listed below:

In the opinion of the undersigned, the below-listed citations represent the closest art known to the undersigned during preparation of the above-identified application. These citations may be material to the examination of the subject application and are therefore submitted in compliance with a duty of disclosure defined in 37 C.F.R. §§ 1.56, 1.97 and 1.98.

CITATIONS

<u>Patent No.</u>	<u>Date Issued</u>	<u>Inventors</u>
5,113,428	May 12, 1992	Fitzgerald
D446,202	August 7, 2001	Fitzgerald
D445,772	July 31, 2001	Fitzgerald
D441,734	May 8, 2001	Fitzgerald
D421,988	March 28, 2000	Fitzgerald
D429,229	August 8, 2000	Fitzgerald
D425,888	May 30, 2000	Fitzgerald

Certificate of Mailing under 37 CFR 1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service in an Express Mail envelope bearing label number EL 758701536 US and addressed to:

Box PATENT APPLICATION

Assistant Commissioner for Patents
Washington, D.C. 20231

on January 4, 2002.
Date



Signature

Sharon L. Hale

Typed or printed name of person signing Certificate

1. Utility Patent Transmittal (1 sheet);
2. Fee transmittal (1 sheet)
3. NonProvisional patent application, including:
 - a. specification (10 sheets);
 - b. 64 claims (10 sheets);
 - c. abstract (1 sheet); and
 - d. drawings (9 sheets, figures 1 – 19);
4. Information Disclosure Statement (3 sheets) w/prior art:
 - a. 14 patents; and
 - b. 3 other documents.

Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.